

REMARKS

In response to the Office Action mailed on April 29, 2008, Applicants hereby provisionally elect, with traverse, to prosecute the claims of Group II (claims 2-11) drawn to an apparatus for applying a layer of a second material to a layer of a nanocrystalline first material in accordance with the method as claimed in claim 1, the apparatus comprising a tubular dispensing means, a liquid container, and conduit means in the present application.

However, applicants respectfully traverse the restriction requirement since the subject matter of all of claims 1-11 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. As originally filed, claim 2 depends from claim 1 and thereby includes all of the features recited in claim 1 of Group I. Therefore, contrary to the Examiner's assertions, the technical feature of the Group I invention relating to the coating method utilizing an apparatus comprising a liquid container and a conduit means for carrying liquid from the liquid container to the dispensing means, is present in Group II. Claim 2 of Group II explicitly recites that the apparatus comprises a tubular dispensing means to be disposed horizontally and provided with lateral outlet openings.

Accordingly, it is respectfully requested that the restriction requirement be withdrawn and that the present application be examined according to MPEP § 803 so as to avoid unnecessary delay and expense to the Applicants and improper duplicative examination by the Patent Office.

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Applicants have also amended claims 1-11 to adjust matters of form. Applicants have not added or canceled any claims. Claims 1-11 will therefore still be pending upon entry of this Amendment.


A favorable action on the merits of the pending claims is earnestly solicited. Should the Examiner have any questions or determine that any further action is desirable to place this application in condition for issue, the Examiner is encouraged to telephone Applicant's undersigned representative at the number listed below.

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Respectfully submitted,

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